

**Remarks/Arguments:**

Claims 2, 7 and 12-20 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Sun (5,247,363) in view of Tahara (5,633,682). In response, Applicants have added new claims 21 and 22. Claim 21 very roughly corresponds to claim 12 and claim 22 very roughly corresponds to claim 17. Furthermore, in claim 21, step a) of evaluating frame N and frame N-M is supported by the originally filed application at page 11, lines 23-26, step b) of identifying an error is supported at page 12, lines 13-15 and step c) of decoding are supported at page 13, lines 17-21. New new matter has been added. Claim 22 is similarly supported by the aforementioned portions of the specification. Again, no new matter has been added.

Applicant's invention, as recited by claim 21, includes a feature which is neither disclosed nor suggested by the art of record, namely:

. . . evaluating block N . . . and block N-M . .

. . . identifying an error in one of block N and block N-M . . .

using the other of block N and block N-M to the code block N+1 (emphasis added).

Thus, two blocks in two frames prior to the present frame (N+1) are evaluated. Of the two blocks that are evaluated, if one of those blocks has an error, then the other block is used to decode a block (N+1) in the present frame (N+1).

Sun, at column 9, lines 46-51 discloses replacing I frame macroblock data with data from the previously decoded P frame. Sun also discloses replacement of a defective block with interpolated data. Sun neither discloses nor suggests looking at two previous frames and substituting data with the one of the two previous frames that does not have an error.

The Official Action combines Sun with Tahara. Tahara discloses construction of a frame from data two frames prior. Tahara, however, also lacks Applicant's feature of selecting data from one of two prior blocks that does not have an error. Thus, even by combining Sun and Tahara, Applicant's claimed features do not result.

Accordingly, claim 21 is patentable over the art of record.

Claim 22 is also patentable over the art of record for the reasons set forth above.

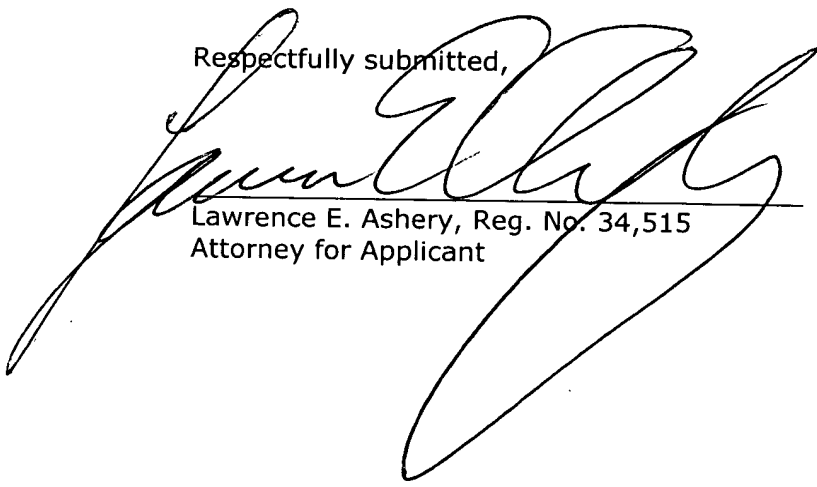
Appln. No.: 09/050,808  
Amendment Dated: September 23, 2003  
Reply to Office Action of: June 3, 2003

MAT-5860

The remaining pending claims have been amended to depend from new claims 21 and 22. Thus, the remaining pending claims are patentable by virtue of their dependency on allowable claims 21 and 22.

In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance which action is respectfully requested.

Respectfully submitted,

  
Lawrence E. Ashery, Reg. No. 34,515  
Attorney for Applicant

LEA/mc/ds

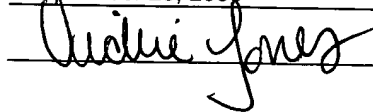
Dated: September 23, 2003

P.O. Box 980  
Valley Forge, PA 19482  
(610) 407-0700

The Commissioner for Patents is hereby authorized to charge payment to Deposit Account No. **18-0350** of any fees associated with this communication.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to:  
Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

September 23, 2003

  
\_\_\_\_\_  
\_\_\_\_\_

MJC I:\MAT\5860\MAT5860CLMS.DOC